



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/751,499	12/28/00	SALOMON	F-153

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EXAMINER

COLILLA, D

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 10/24/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/751,489

Applicant(s)

SALOMON ET AL.

Examiner

Dan Colilla

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2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2000 and 19 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "42" and "92" have both been used to designate an idler pulley. Specifically, in Figure 3 it appears that the "92" at the left side of the drawing should actually be a "42." Correction is required.

### ***Claim Objections***

2. Claims 9-10 and 17 are objected to because of the following informalities:

In claim 9, applicant recites moving a mailpiece from a downstream end towards an upstream end. This appears contrary to the usual meaning of downstream and upstream. Upstream usually indicates the source and downstream usually indicates the destination.

In claim 17, line 2, it appears that "speech" should actually be --speed--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6, 8, 11-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Riley et al.

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With respect to claims 1 and 11, Riley et al. discloses a double belt transport system including upper belts 370 and lower belts 372 as shown in Figure 4A of Riley et al. Further disclosed is a printhead 56 which prints on a registration plane as shown in Figure 4A, an intake section on lower belt 372 that is adjacent to the sensor 334 as shown in Figure 4A, a straight section of the upper belt (the entire belt is straight) and a nip between the rollers adjacent to the sensor 334 as shown in Figure 4A. Riley et al. also discloses printhead 56 for printing on the object being transported.

With respect to claims 2 and 12, Riley et al. discloses a lifting mechanism 380 as shown in figure 4B and described in col. 14, lines 63-66 of Riley et al.

With respect to claim 3 and 13, Riley et al. discloses a pressure plate 342 with a surface facing the elevating mechanism 380 that is located in the registration plane (Riley et al., col. 14, lines 57-62).

With respect to claim 4 and 14, Riley et al. discloses an upstream pulley (shown next to sensor 334 in Figure 4A) and a downstream pulley (shown next to scanner 96 in Figure 4A). The tops of these pulleys define a tangent plane parallel to the registration plane. The pulleys press against the upper belts 370 defining the belt in a straight form.

With respect to claims 6 and 16, Riley et al. discloses means 350 for driving the upper and lower belts 370 and 372. These means reduce shearing on the object to be printed to the extent that the belts move together creating minimal opposing frictional forces on the surface of the object to be printed.

With respect to claim 8, Riley et al. discloses that the printer may be an ink jet printer (Riley et al., col. 2, lines 55-57).

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5. Claims 1, 5, 11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Abrams et al.

With respect to claims 1 and 11, Abrams et al. discloses a double belt transport system including an upper belt 120 and a lower belt 120 as shown in Figure 3 of Abrams et al. Further disclosed is a straight section of upper belt 120 defining a registration plane with respect to the printhead 98. An intake section is defined in the lower belt at the leftmost pulley 122 as shown in Figure 3 of Abrams et al. An ingest nip is formed by a portion of the upper belt 120 and the intake at the lower belt and the pulleys 122 as shown near the reference numeral 90 in Figure 3. Abrams et al. also discloses printhead 98 for printing on the object being transported.

With respect to claims 5 and 15, Abrams et al. discloses deck 80 near the nip formed by pulleys 122. The deck has an upstream portion adjacent the nip and supports the object to be printed as it moves near the nip.

6. Claims 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Lemelson.

With respect to claim 9, Lemelson discloses the method of moving a mailpiece E' by providing an upper belt 69 and lower belt 70 such that the upper belt is formed with a straight section defining a registration plane for printing. The lower belt 70 has an intake section adjacent the guide plate 71 as shown in Figure 3 of Lemelson, and the pulleys adjacent to the guide plate 71 form an ingest nip area.

With respect to claim 10, the mailpieces E' are urged towards the belts 69 and 70 by belt 68 and motor 14 as shown in Figure 3 of Lemelson.

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*Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riley et al. as applied to claims 1-4, 6, 8, 11-14 and 16 above, and further in view of Wataya et al.

With respect to claims 7 and 17, Riley et al. discloses the claimed double belt transport system as disclosed above except for the velocity measurement mechanism. However Wataya et al. teaches a speed detector 1 which measures the speed of belt 54. It would have been obvious to combine the teaching of Wataya et al. with the double belt transport system disclosed by Riley et al. for the advantage of synchronizing the registration of different colors that are being printed.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (703) 308-2259. The examiner can normally be reached on M-F 8:30-5:30.

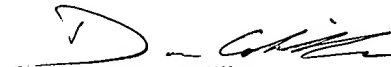
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten can be reached on (703) 308-0719. The in-group fax number is (703) 746-4405.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Dan Colilla  
Primary Examiner  
Art Unit 2854

October 18, 2001